OGC Has Reviewed

MEMORIANDUM FUR: Inspector General

SUBJECT : Finance Division Notice No. 3% ("Folicy regarding application of annual leave when travel is conducted

by privately exped automobile not to exceed cost by

common carrier"), 25 September 1950

HITERREE : Memorandum for Comptroller, dated 1 Royamber 1956,

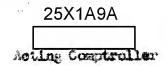
from Inspector Ceneral, Same Subject

1. Seference discusses subject and suggests that this office may wish to revise the policy expressed therein.

- 2. The legal determinations expressed in the Office of General Commonly memorandum were initiated on the basis of a request by Finance Division and served to confirm the position taken by Finance Division to the affect that the charging of leave for excess travel time is a matter of administrative discretion to be resolved by the individual agencies. Although the Office of General Commonly memorandum indicated that this office might establish a general policy of not charging leave in these cases, it is our view that such determination by this office would be in conflict with and serve to modify or multify basic administrative responsibility for authorising and controlling modes and conditions under which official travel will be performed.
- 3. Consistent with this view, subject notice (which is an internal procedural release providing guidence to Finance Division personnel emitting travel vonchers) advises emitters of the Finance Division that excess travel time need not be charged to amusal leave in those instances wherein the authorizing officer determines that such leave need not be charged. Although the notice indicates that such determinations may be reflected on the Travel Order, Finance Division will accept such other evidence of administrative determination in the eatter as is appropriate in the circumstances. In this connection, the office of the DD/F has proposed that the DD/F issue an administrative determination to the effect that, in the absence of specific determination to the centrary by travel authorizing efficers in individual cases, excess time for travel by personal suite on a "not to exceed cost by common corrier basis will not be sharged to named lauve. Such precedure is consistent with the principle that the approval or disapproval of charges for annual leave is a matter for miministrative rather than andit determination.

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4. Although we do not feel that it would be proper for this office to make administrative determinations which are the prerogative and responsibility of authorizing and approving officer, we agree that promolugation of a uniform policy on an Agency-wide basis is desirable. In order that early determinations as to such policy may be accomplished, our Technical Assembling Staff will undertake the preparation of an appropriate Agency nation and if the notice is approved, an assemblent of Agency Regulations to incorporate the expression of policy therein.



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